

ORDINANCE NO. 8 - 2022

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON ACCEPTING APPLICATIONS FOR SHORT TERM RENTAL BUSINESS LICENSES THROUGH JUNE 30, 2022

WHEREAS, Alamosa's Unified Development Code ("UDC"), codified in Chapter 21 of the *Code of Ordinances of the City of Alamosa*, establishes a comprehensive means of regulating the use and development of property within the City of Alamosa, including short-term rentals; and

WHEREAS, Regulating short-term rental units is a complex balance of competing interests, such as tourist demand and revenue, individual property rights, the effect on attainable and workforce housing, and the impact of these short-term guests on permanent residents and local neighborhoods; and

WHEREAS, Council conducted a public hearing on Ordinance No. 25-2021, an ordinance amending Section 21-2-405 of the UDC to amend and strengthen short-term rental regulations at its meeting on December 1, 2021, and heard numerous comments concerning the proposed ordinance; and

WHEREAS, in response to comments received, Council tabled the ordinance to allow for further investigation of appropriate regulations and to receive further public input, and, on December 15, 2021, enacted Ordinance 28-2021, establishing a temporary moratorium on receiving applications for short term rental licenses through April 30, 2022; and

WHEREAS, in the interim, Council has held three work sessions and given staff direction on further refinement of proposed regulations, but may not have an ordinance adopted before April 30, 2022, when the current moratorium expires;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Alamosa, Colorado, as follows:

Section 1. Extension of Moratorium on short-term rental license applications. The moratorium on acceptance of short term rental license applications established by Ordinance No. 28-2021 is hereby extended through June 30, 2022, unless sooner lifted by action of Council or made moot by the adoption of regulations governing standards for such businesses.

Section 2. Definitions: For purposes of this moratorium, short term rental business licenses are those applicable to rental of residential dwelling units for a term of less than 30 days. Owner-occupied short-term rentals or the short-term rental of accessory dwelling units associated with an owner-occupied property are classified by the UDC as a Bed and Breakfast Inn and not subject to this moratorium.

Section 3. Direction to Staff: Staff is directed to continue to prepare information to

present to Council at work sessions and ultimately at a regular meeting to be held during this moratorium to further consider issues related to regulation of short term rentals to further facilitate Council's understanding of the issue and the balance of competing interests involved in such regulation, in anticipation of possibly making adjustments to the regulations proposed in Ordinance No. 25-2021.

Section 4. General Repealer. All other acts, orders, ordinances, resolutions, or portions thereof in conflict with the sections adopted in this Ordinance, are hereby repealed to the extent of such conflict.

Section 5. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City book of Ordinances kept for that purposes, and published according to law.

Section 6. Publication and Effective Date. This ordinance shall take effect ten (10) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

Section 7. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

Section 8. NON-Codification. The City Clerk is directed to ensure that the provisions of this ordinance **ARE NOT** codified in the *Code of Ordinances of the City of Alamosa*.

INTRODUCED, READ AND APPROVED on first reading the 6th day of April, 2022, and ordered published by title and reference as provided by law with notice of a public hearing to be held for consideration of the adoption of said ordinance on the 20th day of April, 2022, at 7:00 p.m., or as soon thereafter as the matter may be heard, or on such subsequent date to which the public hearing or Council consideration may be continued

CITY OF ALAMOSA

By _____
Ty Coleman, Mayor

ATTEST:

Holly C. Martinez, City Clerk